

Amendments to the Drawings

Replacement sheet 2/3 includes FIGS.2 and 3 and replaces the previously submitted drawing sheet 2/3.

Attachment: 1 Replacement Sheet

Remarks/Arguments

This is responsive to the Office Action of October 5, 2005. The amendments herein are proper, do not add new matter, do not require additional searching by the Examiner, are not narrowing in view of a prior art rejection, and place all pending claims in condition for allowance.

The amendments to claims 2, 3, 5 and 14 are made solely to correct typographical errors.

Claim 18 and the claims depending therefrom have been replaced with new claims 21-23.

New claim 21 recites a *grip assembly* which is supported in the specification by the grip assembly 222, and which is described at least in paragraph [0029]. Claim 21 also recites a *delidder assembly* which is supported in the specification by the delidder assembly 148, and which is described at least in paragraph [0018].

New claim 22 recites the apparatus as being configured to rotate the cassette. Support for this feature is found at least in the grip and rotate assembly 154, of which the grip assembly 222 is a part (see, at least, paragraphs [0028-0029]).

New claim 23 recites the apparatus as being *configured to index the cassette to orient each of a plurality of articles within the cassette at a common presentation position*. Support for this feature is found at least in the caddy elevator 152 that indexes to present each of the discs in the cassette (see, at least, paragraph [0020]).

Rejection Under 35 U.S.C. 102(a)

Claim 18 stands rejected as being anticipated by Pederson '460. However, Pederson '460 discloses an apparatus for processing articles contained in a cassette, and is wholly silent regarding *a data storage device comprising a motor assembly rotating a disc into a data exchange relationship with a read/write head....*

Nevertheless, Applicant has replaced claim 18 with new claim 21 without prejudice, solely in order to facilitate prosecution on the merits by more particularly pointing out and distinctly claiming that which is patentable subject matter of the present embodiments.

Cancellation of claims 18-20 obviates the rejection and objection thereto. Withdrawal of the rejection of claim 18 and objection to claims 19 and 20 are respectfully requested.

Objection to the Drawings

FIGS. 2 and 3 were objected to for inadequate character of lines, numbers, and letters. Applicant has provided herewith a Replacement Sheet 2 of the drawings with redrawn line drawings of these FIGS. Withdrawal of the objection is respectfully requested.

Allowable Subject Matter

Applicant gratefully acknowledges the allowance of claims 1-17.

Applicant respectfully submits that all the art of record at least fails to disclose *a delidder assembly configured to remove a lid from the cassette before the grip assembly*

orients the work article, and further configured to replace the lid on the cassette after the grip assembly orients the work article as in the present embodiments as set forth by new claim 21. Because the art of record fails to disclose this limitation, a *prima facie* case of anticipation cannot be made under §102. See *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Applicant further respectfully submits that there is nothing in the art to make up for the above deficiency of the art of record with regard to establishing a *prima facie* case of obviousness under §103(a). There is no suggestion or motivation, either in the art of record or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine references to arrive at the subject matter of claim 21. Moreover, the references of record must teach or suggest all the claim limitations, and the above limitation is not taught. On these bases, the Applicant respectfully submits that the subject matter of claim 21 is not obvious over the art of record.

In view of the foregoing, Applicant reasonably concludes that the subject matter of independent claim 21 and the claims depending therefrom define subject matter that is patentable over the art of record.

Conclusion

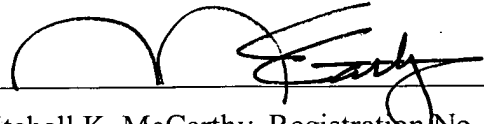
This is a complete response to the Office Action mailed October 5, 2005. The Applicant requests withdrawal of all rejections and objections and passage of all the pending claims to allowance.

Also submitted herewith is a request for telephone interview after the Examiner has had the opportunity to consider this Response. Applicant respectfully requests the interview if

any issue arises preventing all claims from passing to allowance, in order to facilitate prosecution on the merits to the greatest extent possible. The Examiner is invited to contact the Attorneys listed below should any questions arise concerning this response or request for interview.

Respectfully submitted,

By: _____

A handwritten signature in black ink, appearing to be 'M. McCarthy', written over a horizontal line.

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